

IN SEARCH OF A WILD PEACE:  
INTRODUCTORY NOTES TO A DISSERTATION BY PORTFOLIO

by

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Abstract

A recent re-tabulation of government wildlife kill data reveals that British Columbia (BC) Conservation Officers, in the last 8 years (2011-2019), have killed **4,341** black bears, **162** grizzly bears, and **780** cougars (Casavant, 2020). These killing statistics raise broad questions about the appropriateness of individual officer's killing actions and the overall role of Conservation Officers in BC society.

BC Conservation Officers are employed by the BC Conservation Officer Service (BCCOS). The BCCOS is the lead environmental policing agency in BC. Conservation Officers hold unrestricted constabulary status under the BC *Police Act* and exercise a wide array of policing authorities, duties, and responsibilities when interacting with both humans and non-humans.

This applied dissertation by portfolio advances two main arguments. First, it is argued that police constables within commonwealth countries have experienced a shift in allegiances from community centric principles towards ever advancing service of state apparatuses. Second, I posit that, in the case of the BCCOS, the archive shows deep roots to pro-hunting organizations that view wildlife as an economic asset to be exploited and killed. These pro-hunting ties uphold a modern cavalier approach to constable involved killings of non-humans (especially predators).

The BCCOS killing of non-humans involves the use of government issued service weapons (i.e., firearms) and is, in my view, within the confines of use of lethal force. While use of force situations on humans and non-humans are sometimes unfortunate aspects of the job

of a constable, allowing a culture of killing to develop within and dominate the organizational structures of law enforcement services is inappropriate and should be avoided at all costs.

In order to advance a critical dialog about the role of environmental constables within modern society, it is necessary to understand and critically examine the history and roots of the organization under query (i.e., the BCCOS in this case) – as this project has done. Ultimately, it is my view that constables are holders of an office and much more than mere employees of a government body. As holders of an office, constables have an obligation to protect those that are under their care – both human and non-human.

## **Introduction**

Pat Swonnell (68) lives in his home in Port Coquitlam (a community in the lower mainland of BC, just outside Vancouver). He has lived there for 36 years and is retired. The neighbourhood is quiet, tranquil, and rarely has any excitement of note.

On July 30<sup>th</sup>, 2019 (almost one year ago now), there was commotion on the street behind Pat's home. The sound of shouting and arguing drifted through the summer afternoon air.

Pat left his home and walked across his front lawn and down to the end of his street to see what was happening. By the time he reached the sidewalk of the adjoining street there was no one in sight. He walked down the sidewalk a short distance, which was adjacent to a ravine.

Three gunshots rang out. BANG! BANG! BANG! Pat froze. To his astonishment, an armed man measuring approximately 6'3", dressed all in black, and wearing black body armour emerged from the bush. This man began to yell at Pat in an inaudible tone. Wearing flip flops,

summer shorts, and fearing for his life, Pat turned and attempted to run back to his home. The armed man chased him, yelling at him.

Pat reached his front lawn, crossed the grass, and grabbed the railing of his front porch steps. He climbed the steps and reached for the front door handle of his home. A hand grabbed his shoulder and pulled him down. The man in black, now firmly gripping Pat's arm, dragged him back down his porch steps, across his own front lawn, and down the sidewalk. Multiple RCMP police cars were now in the street where there had been none only seconds before. The man in black dragged Pat towards the police car. The man in black was later identified as a BC Conservation Officer.

Pat was then arrested by the RCMP, charged with obstructing a peace officer and resisting arrest, and given a notice to appear in court for arraignment on criminal charges. As it would later be revealed, the commotion Pat had originally heard was one of his neighbours shouting at the Conservation Officer while a second neighbour videoed the event. The Conservation Officer was chasing a mother bear and her two cubs through the residential area, intending to shoot and kill them – which he did.

The Conservation Officer had told the two neighbours to leave the area, which they had done. Pat arrived in the wrong place at the wrong time. In a case of what is believed to be mistaken identity, Pat was unlawfully assaulted by an officer on his own property and subsequently falsely arrested, criminally charged, and publicly accused of criminal behaviour by other officers, the media, and BC government communications staff.

A Special Crown Prosecutor was eventually assigned by the ministry of justice. After a careful review which took approximately 7 months, the Special Crown Prosecutor refused to

approve any criminal charges against Pat. The matter was fully dismissed in early 2020 and is awaiting potential civil litigation against the officer(s) and government staff involved.

It is timely that Pat's story has taken place at the end of my research project. Stories like Pat's highlight the need for a deeper understanding about environmental policing services in our province and how those policing services interact with our citizens – both human and non-human. The above recount was shared with Pat prior to being submitted here. I am indebted for his permission to re-tell this personal and public life event for the purposes of this dissertation introduction.

### **Portfolio orientation**

My dissertation *In search of a wild peace* is focused on original archival research within British Columbia's (BC) environmental policing agency, the BC Conservation Officer Service (BCCOS). It is structured as a portfolio of three mutually supporting, yet stand-alone pieces.

These pieces are:

- A. Removing constabulary confusion.
- B. Hunters and holsters.
- C. Appellant's factum.

Together, these three portfolio pieces navigate the role of environmental law enforcement officers in modern BC society and the historical organizational development of these policing services. The first piece (unpublished journal article) *Removing constabulary confusion* traces the origins of constable(s) as servant(s) of the people. The second piece (unpublished journal article) *Hunters and holsters* focuses more narrowly on the roots of environmental policing in BC as a specialized constabulary service. This piece provides original archival research into the history of environmental policing in BC. Finally, the third piece of this project (filed court

document) the *Appellant's factum* brings archival history forward by challenging current operational practices of the BCCOS in a formal court briefing. My work is therefore positioned at the intersections of the social sciences, law, and practical policy development.

Broadly, my work challenges the current environmental policing system in BC by advancing two main thematic arguments. First, I argue that police constables within commonwealth countries have experienced an erosion of community centric principles. This erosion of community centric principles has resulted in a shift of allegiances (from the community) towards ever advancing para-militarized structures in service of state apparatuses. Second, I posit that environmental constables, as a specialized area of policing in BC, are deeply tied to pro-hunting cultures where non-humans are viewed as resource items to be exploited and also killed. These pro-hunting cultures, in turn, create certain organizational norms which then dominate the BCCOS. This is evidenced by recent kill data discussed within the portfolio. I argue these norms lack accountability in modern times and do not represent the broader human and non-human societal needs facing the province of BC today. My work presented here therefore stands at the intersection of the interdisciplinary relationship between environmental policing services, the public, and wildlife (i.e., non-humans). Environmental police accountability is an underpinning concept in this work.

The objective of my work is to promote a critical dialog about the relationship between environmental police and the communities they serve within society (societies which are comprised of both human and non-human species). This is achieved by bringing certain historical information forward for academic scholars, legal professionals, and government policy developers – as well as the general public. This approach therefore falls squarely within

the principles of interdisciplinary knowledge mobilization and is underpinned by inductive logic and reasoning.

### **Records and data reviewed**

Official government correspondence can be found in the BC Royal Museum's provincial archives, the BC Legislative Library, and the BC Natural Resource Library. The Royal BC Museum contains a record series titled *Provincial game warden records*. This series contains thousands of textual records pertaining to various early environmental policing issues and spans the date range of 1905-1922. The Legislative Library of BC produced a brief history of environmental policing in BC for the 100-year anniversary project of the BC Conservation Officer Service, which is available online (BC Legislature, 2005). The BC Natural Resource Library contains extensive modern and historical environmental records (Province of BC, n.d.).

Official government correspondence formed the largest data set reviewed for this project, primarily for the second portfolio piece *Hunters and holsters*. This included a deep review of volumes of *Sessional papers* (i.e., formal reports tabled to the Legislative Assembly). My analysis initially focused solely on reviewing 96 *Sessional papers* that involved wildlife management organizations in BC, specifically for information pertaining to law enforcement operations. These were as follows: Annual reports of the Game Conservation Board (1 report, 1920); Annual reports of the Provincial Game Warden (22 reports, 1905-1928); Annual reports of the Provincial Game Commissioner (5 reports, 1929-1933); Annual reports of the Game Commission (23 reports, 1934-1956)<sup>1</sup>; Annual Game Convention reports (10 reports, 1947-

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<sup>1</sup> The Legislative Library of BC has digital copies of provincial game warden and commission reports available online between the years of 1905-1947. The years of 1948-1956 have not been digitized and were reviewed from my personal hard copy archives: [http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2016\\_2/346798/index.htm](http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2016_2/346798/index.htm)

1957)<sup>2</sup>; Annual environment ministry reports (11 reports, 1957-1967)<sup>3</sup>; and the Annual environment ministry reports (24 reports, 1996-2018,1980/81)<sup>4</sup>.

### General portfolio findings

The establishment of environmental law in BC dates back to 1858 (at that time primarily hunting legislation known as *game ordinances*) (Ball, 1981; Casavant, 2019). Environmental law enforcement has been the responsibility of various Crown departments for more than 100 years (BC Legislature, 2005; Casavant, 2019). When BC became a province in 1871, the responsibility for environmental law enforcement was placed under the BC Constabulary (Casavant, 2019; Royal BC Museum, n.d.). Between 1905 and 1920, the formalizing of environmental law enforcement as a specialized policing area began under the direction of the Provincial Game Warden (Casavant, 2019; Province of BC, 1905-1928).

Due to financial and staffing issues, various game associations in the province at the time directly funded the positions, salaries and expenses of game wardens. The history of game laws enforcement is factually and sequentially linked to pro-hunting organizations in BC (Province of BC, 1905-1928).

In the 1920s, environmental enforcement responsibilities transitioned to the (then) BC Provincial Police (Casavant, 2019; Royal BC Museum, n.d.). It is trite knowledge that the BC

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<sup>2</sup> These reports have never been digitized and are from my personal hard copy archives.

<sup>3</sup> These early ministry reports are not digitized and were reviewed from my personal hardy copy archives.

<sup>4</sup> The Legislative Library of BC has digital copies of ministry reports for the years 1996-2001 available online at:

<http://www.llbc.leg.bc.ca/public/PubDocs/bcdocs/166458/index.htm>

The Legislative Library of BC has digital copies of ministry reports for the years 2002-2005 available online at:

<http://www.llbc.leg.bc.ca/public/PubDocs/bcdocs/362856/index.htm>

The Legislative Library of BC has digital copies of ministry reports for the years 2005-2017 available online at:

<http://www.llbc.leg.bc.ca/public/PubDocs/bcdocs/404607/index.htm>

The Legislative Library of BC has digital copies of ministry reports for the years 2017-2019 available online at:

[http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2018\\_2/688691/index.htm](http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2018_2/688691/index.htm)

Provincial Police were disbanded in 1950. Provincial policing was transferred under contract to the RCMP. The terms “Game Warden”, “Bush Cop”, and “Game Constable” were replaced in the early 1960s with the title “Conservation Officer” (Casavant, 2019). Environmental law enforcement operations reverted to the responsible ministry of the day, where they currently sit under the (now) Ministry of Environmental and Climate Change Strategy, BC Conservation Officer Service (Casavant, 2019; Province of BC, 1905-1928; Province of BC, 1920; Province of BC, 1929-1933; Province of BC, 1934-1956; Province of BC, 1957-1976).

The BCCOS was established in 1980 as a law enforcement agency and formalized in legislation in 2003 under Section 106 of the *Environmental Management Act*; which provides, *inter alia*, that a Chief Conservation Officer can be appointed and that this Chief can then in turn appoint anyone he sees fit as a Conservation Officer (Casavant, 2019; Province of BC, 1980; Province of BC, 1996-2001; Province of BC, 2002-2005; Province of BC, 2006-2017) . The Chief has general supervision of Conservation Officers. The *Act* also provides that the Chief may develop policies internal to the agency respecting the establishment of operational procedures pertaining to officer duties and the use of equipment and firearms (Casavant, 2019).

Conservation Officers now hold additional appointments as unrestricted special provincial constables under the *BC Police Act* (BC Ministry of Environment, 2005; Casavant, 2019).

Environmental constables and environmental policing are therefore factually linked to both pro-hunting organizations and general policing operations in the province of BC more broadly speaking.

Towards the end of this research project I was provided an opportunity to review 8 years (2011-2019) of BCCOS kill data (Casavant, 2020). Current government kill statistics are publicly reported. However, the manner in which they are tabulated is not structured in an annual tabulation, making interpretation difficult for the lay public, policy and decision makers, and academics. My kill data review resulted in the re-tabulation of government kill statistics. This re-tabulation provided statistical kill data in a manner that was categorized annually, thereby providing a more accessible understanding of current officer involved killings. The re-tabulation shows that BCCOS officers have killed 4,341 black bears, 162 grizzly bears, and 780 cougars between 2011 and 2019 (Casavant, 2020).

### **Portfolio methods**

This portfolio primarily concerns itself with an analysis of historical archival records. BC government wildlife records span over 100 years. Within these records, environmental policing and more generalized wildlife management activities are often intertwined. Separating police activities from broader wildlife management actions (such as biology and ecology) has proven a difficult task. Species management for the purposes of hunting and economic gain is factually and sequentially linked within the archive to the enforcement of hunting and wildlife laws. The search time required to surgically remove all environmental policing information from general wildlife management practices is unfeasible given certain time constraints of this project. Instead, this project examines over 100 years of provincial government archival records situated within the umbrella category of 'official government correspondence.' Examining the government's own archival records makes it possible to trace and bring forward the historical

intersections of environmental laws, law enforcement operations, and the development of environmental law enforcement in BC.

I utilized an inductive approach to archival content analysis, which I based within the conceptual framework of grounded theory (Strauss and Corbin, 1990). This grounded theory inspired approach allowed me latitude to conduct a deep read of the archive without an *a-priori* hypothesis (Charmaz, 2000).

In order to gain a broad understanding of the depth of the government archive, an initial survey of the archive materials available (described above) was conducted. I used an open coding, two-step, multiple pass approach where thematic areas of interest were identified by reading and then recording critical events, time periods, program names, legislation titles, descriptions, and overarching concepts. In the first pass, the table of contents was read for each record (96) in order to identify departmental changes, applicable legislation, program names and highlights, and key historical events. These areas of interest were recorded for follow up. Second, a follow up review of the areas identified was conducted, with specific attention paid to time periods and political climates (Wodak, 2004). From this detailed, yet unstructured multiple pass approach, the information gathered suggested an analysis of content that was structurally grouped by certain date ranges (discussed below). Finally, for each date range category identified, a detailed read and review approach was used to conduct the archival review and develop discussion points and conclusions.

In using structured date ranges to conduct an archival review, time periods were chosen based on significant historical events, such as, the joining of confederation, the development of new laws, and available archival information pertaining to program development and ministry

changes. The year 1858 was chosen as the starting point as a result of BC being an official colony of the British Empire and the development of its own constabulary and policing services relating to environmental matters. The year 1905 begins the second historical marker as the development of game wardens under new legislation respecting a provincial game warden that was separate from general policing services – the provincial game warden had complete control of enforcement activities. Sole control of enforcement activities by the provincial game warden ceased in 1918 as a result of new legislation, which created an oversight agency called the Game Conservation Board.

Significant program changes were made in the early 1920s which saw the game department revert to the provincial police force in 1929, this era of re-acquisition of policing control over game management matters is historically significant to this article and covers key dates. Eventually, the provincial police were disbanded. Between 1957 and 1980, multiple ministry program changes were made, with game warden duties shifting once again away from direct police control. The BCCOS was formed in 1980, however, between 1980 and 2003 the BCCOS operated as an ad-hoc para-military unit with no formal legislative structure<sup>5</sup>. The year 2003 marks the next major iteration of the BCCOS, with the implementation of formal legislation respecting their duties and authorities.

Much of these departmental changes coincide with the development of legislation, as enforcement officers derive their authorities from provincial statutes. Where possible, I

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<sup>5</sup> Ad-hoc means there was no formal governing legislation, although the service was wearing para-military uniforms, was armed, and presented itself publicly as an official law enforcement agency.

highlight the applicable legislation in parallel to the program changes discussed and interpretive arguments made.

### **Theoretical underpinnings**

In reviewing documents, specific attention was paid to the intersections of political climate and policies of the government of that time (Wodak, 2004). These intersections were then interpreted from a critical sociological perspective grounded within critical social theory (Agger, 2013). Critical social theory can be broadly described as the placement of critical theories within the discipline of sociology. As stated by Horkheimer (2002 p. 244), the aim of critical theory is “to liberate human beings from the circumstances that enslave them.” Critical theory seeks to explain the world in a manner that highlights the oppression of humans – often through the critical and structural examination of factors that contribute to state and societal oppression. Within the strictest boundaries of the theory, increasing individual freedoms and decreasing dominance is at the core basis of the theory’s aspirations. Critical theories and critical social theories are therefore human-centric.

While I appreciate the aggressive approach towards the reduction in human centered dominance power structures and emancipation more broadly speaking, critical theories cannot be applied here in their purest sense because I do not aim, nor advocate, to increase an individual officer’s freedoms within a hunter dominated values system<sup>6</sup>. In such a situation,

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<sup>6</sup> An argument could be advanced that organizational expectations of killing, resulting from hunter values systems, is oppressive to the human officer; that these values systems create a form of enslavement to the human officer from which emancipation is required. I do not pursue this line of thinking because, at its core, it is still human-centric and perpetuates the existence of an *other*. In this argument, the emancipation sought is essentially the freedom for an officer to choose to kill or not to kill, absent any moral or ethical grounding as an impartial constable. In practice, this freedom already exists within various police use of force frameworks; it is simply not applied to the non-human animal(s) under the officer’s care, a situation this project aims to course correct.

wildlife remains the *other*, oppressed by a dominant human centered power structure that is given legitimacy through the use of uniforms, legislation, firearms, and other tools of the state's monopoly on the application of violence. I seek to move beyond the human-centric approach of critical theories and apply the concepts of "circumstances that enslave them" (Horkheimer, 2002 p. 244) to the liberation of a non-human actor (in this case, wildlife).

The approach of de-centering of the human officer is an abrupt divergence from over 100 years of organizational hunter values systems in the BCCOS. This divergence is necessary in order to re-focus on the core identity of the constabulary as an impartial and accountable state actor in the modern age of the ontological turn. In focusing on the non-human as the core of an impartial human officer, I seek to place the wild *other* at the center of human officer actions, to re-affirm the officer's obligations to protect society's most vulnerable, both human and non-human – especially those that have no voice. To accomplish this, I am not only concerned with wildlife records and what they say, but also the multitude of factors that contributed to the development of the voice within the shadows; the reasons why the record was developed in the first place; the origins of thought that led to something being said; the significance of record maintenance; the influence and importance given to a specific statement or period of time; the discursive events that "pull" on some political, economic, or "social facts" in order to convert them into "qualified knowledge" (Stoler, 2009 p. 22); knowledge, in this case, which is arguably founded in a values system of killing.

The formations of discourse and their external relationships to the record under interrogation unveil a complex system of relationships that exist in the darkness of institutional, economic, social and behavioural processes; relationships that find their origins not within the record itself but within the ‘truth claims’ of the archive (Stoler, 2009).

Within the archival study of environmental law enforcement, critically examining the origins and role of law enforcement officers is required in order to move beyond the human officer; to push past the complex assemblage of historical dominant narratives regarding wildlife ‘truth claims’ and frame a new discursive framework how we talk, feel, write, and think about wildlife management as society. This narrative navigation requires a critical examination of historical precedence and what Foucault describes as the “field of facts” (Foucault, 2002). Navigating these narratives can assist us in rediscovering the “silent murmuring” of issues that overcast the events under interrogation (Foucault, 2002 p. 29-30). For this project’s purposes, these silent murmurings deal especially with the development of hunter values systems within BC environmental law enforcement.

The examinations and arguments herein are inspired by traditional grounded theory and founded within a critical examination of the archival record. There is an element of critical realism in my approach. Admittedly, prior to engaging in this archival project I had specific life experiences as an officer myself which formed the basis of critical observations and questions about the history and future of environmental policing in BC. Some readers may critique these personal experiences and observations as bias or conflicts of interest. I prefer to frame my observations and experiences as conceptual clarity surrounding complex law enforcement processes – a form of realistic criticism that derives its foundation from institutional knowledge

gained over time. A studious reader may say that my approach here is a blend of critical realism, critical theory, and grounded theory; that the closest working theory to my approach is critical grounded theory (Belfrage & Hauf, 2017; Hadley 2015). However, critical grounded theory suffers from the same human-centric approach as its philosophical parents.

Non-human animal emancipation cannot be advanced within any of the human-centric theoretical frameworks that would otherwise appear applicable. For this reason, I say my approach is inspired within the conceptual frameworks of critical theories and grounded theories, but it is not a slave to the rigorous boundaries of these theoretical underpinnings. I do not mean to suggest that my work is some form of nomadic thought that pulls from fluffy speculation clouds and conjectural rainbows. While seeking non-human animal emancipation from police oppression and advocating for organizational change within the BCCOS, I find philosophical kinship within critical theories and grounded theories while studiously recognizing and being self-aware of their human-centric complexion.

## **Discussion**

Developing a deep understanding of modern environmental police is a difficult task that crosses many competing academic and legal disciplines, areas of study often in contest with the belief systems of others (for example, the values of hunters and non-hunters). The studious reader will, no doubt, rightly point out that concepts of nation building, materialism, functional realism, organizational systems theory, critical feminism, criminal justice studies, colonialism, psychology, and many other lines of academic inquiry can be applied to the study of police, generally speaking. This is because police are inherently both individual members of our society and servants of the state.

As members of our society, individual officers are born and raised with a variety of cultural, religious, and ideological belief systems passed to them from family, community, tribe or village. As servants of the state, individual officers are trained in and expected to abide by certain loyalist and organizational norms which serve a practical state function in exercising power and authority over others – whether that be a monarchy, dictatorship, or democracy. Therefore, officers are both individuals and extensions of the state – a situation which opens the door for almost every critical query, including, for example, the argument that in some societies the family structure is the state, or at the very least perpetuates ideological functions that serve a state function. The complexities and nuances of such arguments are beyond the scope of my work here.

In this portfolio I make an attempt to provide the reader with a new way to think deeply about environmental police constables and their organizational norms. To engage the reader in deep thinking I begin with classical and traditional concepts of what it is to be a constable. I follow this by developing an understanding of environmental constabulary work more narrowly.

In *Removing constabulary confusion* (unpublished journal article), I trace the historical roots of the European constable in the commonwealth. I argue broadly that there has been an erosion of community centered principles in policing – a situation that has resulted in the constable moving from a servant of the ‘commons’ (i.e., the people) to a servant of the state. It is important to note that a key point of this piece is to argue that there has been an erosion of the community principle in recent times, that the office of a police constable was never

intended to hold direct allegiances to the state through employment relationships to executive branches of government.

In the second piece, *Hunters and holsters* (unpublished journal article), I develop the previous conceptual framework of state allegiances by conducting primary research on the environmental constable in BC. In this new research, I review a century of primary source documents within BC government archives. From this review, I show that the modern environmental constable in BC is deeply tied to pro-hunting organizations which were formed as the colonial British Empire expanded in the early 20th century. In modern times, I contend these historical allegiances are problematic for humans and non-humans because the constable's alliances are not focused on caring for the species under their protection (i.e., a community centric principle). They are, instead, state centric cultural norms in need of course correction. I seek to disrupt the status quo by advancing a technical legal argument that those who hold a constabulary office should be independent of the state apparatus and act impartially to both human and non-human species.

The third piece of this portfolio is a legal factum also known as a court 'brief' (filed court document). In this brief, I conduct new legal research from primary case references. I rely heavily on the conceptual theoretical frameworks and historical conclusions developed in the previous two pieces. The brief argues that environmental constables are holders of a constabulary office of the Crown, they are more than mere employees. For this reason, decisions made within the capacity of constable are not subject to review by the executive branch of government (i.e., state interference). Any review of a constabulary decision, or discipline of an officer acting in a constabulary post, must be done only in accordance with

governing statutes and operational procedures. In theory, this approach places both the community and judicial branches of government back at the center of what it means to be a constable. I advance my own personal life and situation as a case study for the court. This approach is novel and not only provides me standing before the court, but also allows for the conceptual frameworks identified in the portfolio to be advanced before a panel of three appointed justices, in hopes that change towards community centered principles can begin to occur.

### **Positionality and worldview**

I am close to this research project both personally and professionally. I recognize this and I am open about discussing my opinions, experience, and personal belief systems. I am transparent about my worldview and life's story. From my vantage point, there is a difference between qualified bias (i.e., experiential based opinions) and prejudice (i.e., discrimination). I do not discriminate against environmental policing agencies nor the officers that serve within their ranks, indeed, constabulary service has been my own life's work. However, as a senior officer myself, I do hold very strong opinions about the relationship between our environmental policing services, the public, and non-human species. While I frame this as a qualified bias, the reader will have to make their own assessment. To assist the reader in deciding whether or not my bias is qualified and fully transparent, I briefly highlight the underlying personal lived experiences and worldviews at play in my work.

I started my career in policing with the Canadian Forces, Military Police. I worked in what was known as a 'field unit' (i.e., a uniformed tactically trained team that deployed with the infantry and performed various specialized functions at home and abroad). I began my

service in the Canadian Forces Reserves and later served alongside the Regular Force army on full time contract (i.e., Class 'C' service). As a young soldier I was trained in the Crown's policing systems and served both at home and abroad in this capacity. This has most definitely shaped my personal worldview on what is and what is not acceptable policing behaviour within society.

My worldview on policing is quite simple. I believe that our domestic policing services have drifted into military style operations. This drift has eroded community centric principles (i.e., being a servant of your home community) in favour of unquestioning allegiance to the state (i.e., a loss of independence in police decision making). The theoretical underpinnings of my personal beliefs can be found in Louis Althusser's discussions on both Repressive State Apparatuses (RSAs) and Ideological State Apparatuses (ISAs)<sup>7</sup>, as well as some of the earlier writings of Marx.

Althusser describes Marx's view on the State Apparatus as including the army, police and courts. More pointedly, because the functions of these institutions regularly include the use of violence, they are, by necessity, 'repressive' in nature. However, in my view, this was never the parliamentary intention, historically speaking. Identifying police as part of a RSA is to continue with the concept that police are and always will be repressive institutions because of their operational practices, ranking positions, state uniforms, job functions, armaments, and so forth – a structuralist position I am strongly opposed to. I seek to assist the reader in thinking deeply, maybe even post-structurally, about the office of constable in hopes that we, as society,

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<sup>7</sup> Althusser, L. (2001). Ideology and ideological state apparatuses: Notes towards an investigation. In *Lenin and philosophy and other essays*. p. 85-126. London: Monthly Review Press. Digital copy (1971) available from: <https://www.marxists.org/reference/archive/althusser/1970/ideology.htm>

can return to the historical community centric principles that have previously been in place. At a primal level, historic community centric principles contained an element of constabulary separation from the state – at least in part. In identifying this separation in principle, I also recognize that, from a functionalist viewpoint, ‘violence’ is a potential necessary outcome of the constabulary position, even in historical situations where community centric principles were at play. The difference is violence being exercised by the constable in an independent and accountable manner as a function of necessity of the role of constable verses by order of a state agency, person, and so forth. In this way, there is a clear delineating line between an army and a constable – or should be. In almost overly simplistic terms, a military force serves the state, the constabulary should serve the people.

From Althusser’s perspectives on the ideological state apparatus (ISA), a more interesting question is raised. If police had been situated within the ISA category of Althusser’s work, instead of being classified as ‘repressive’, would that have changed the outcome of our theoretical understanding of what police are? Would we see police as more connected to the ideological functions of a community collective rather than the violence of a state? I argue, probably not.

The entire point of ISA is to contend that ideology is a part of some form of a repressive state apparatus, simply without the application of physical violence (i.e., ideological mobilization systems such as media, education, religion, and so on, all serving a function of the state even if they did not begin that way). However, framed more broadly as ‘systems of communication’, Althusser’s early work on ISA does not address modern communication systems and the internet, which can possess all of the elements of violence and perpetuate

individual and societal trauma in various forms; such as mental trauma, harassment, and even the advocacy of physical violence. Nor does his work address the philosophical concepts of psychological warfare as an ISA supportive of intra-state and inter-state RSA violence.

Therefore, more aptly described now as systems of communication, ISAs are not necessarily always devoid of violence, even when they appear to merely advocate for certain ideological positions, whether that be religious, political, racial, geographical, cultural, or familial/tribal.

Discussions on state apparatus, RSA, and ISA require a presumption that there is first a state. And second, that the state is both repressive and perpetuates repression through ideological means. From a community centric policing viewpoint, I argue the constabulary does not require a state for it to be legitimate – its legitimacy flows first from the people of a community, village, or tribe and can be present without a formalized state structure or state designated authority. Having said this, at this post-modern point in history, admittedly, I recognize we have nation states, and that, as society, we have formalized state structures which give state authority to the constabulary; currently the constable is, in addition to officer individuality, an extension of the state. However, I argue that the existence of a nation or state structure does not, in itself, justify the abandonment of community centric principles.

The purpose of the portfolio is not to go into nation building, the differences between armies and police, and the ethnogenesis of peoplehood/nationhood and the defence or enforcement of 'distinctness' of individual or collective community values, indigeneity, or culture. It is not to argue the precise moment in time when various state apparatuses emerged in Europe; nor is it to necessarily argue that constables have been co-opted into the

apparatuses of state violence or state ideologies, although a cursory argument exists that they most certainly have.

Instead, the purpose of this portfolio is simply to lay the foundation, generally, that constables have been removed from their communities and community centric principles. This foundation forms a worldview that underpins my work and understanding of the environmental constable and its role in society, a worldview I hope one day becomes obsolete. Building on this concept, the next area of qualified bias that needs to be laid bare for the reader is my work as an environmental constable.

After military service (2004-2010) that included active combat operations in Afghanistan (2008), I took an honourable release at the rank of Corporal and pursued environmental law enforcement work in my home province of BC. In 2015, while working for the BC Conservation Officer Service (our environmental police agency), I received a kill order for two bear cubs. Believing the direction to be fundamentally unlawful, I declined the kill order and exercised the independence of my constabulary office by instead following the standing legitimate operational policies of the provincial government. These operational policies dictated that the bear cubs be provided a medical and behavioural assessment prior to being subjected to any killing action, which I ensured they received much to the ire of the individual who had ordered them killed. It was subsequently alleged that I had committed a disciplinary default of dereliction of duty (i.e., insubordination). I was then removed from my position as a constable, contrary to certain legislative protections. The situation received international attention and media coverage.

In 2016 I was accepted into the Doctor of Social Sciences program at Royal Roads University. That same year (2016) I also became politically active with the New Democratic Party of BC. In the following year (2017) I ran for office in the provincial elections, with the above bear cub story at the center of my political campaign. Although my personal electoral riding was not won, a change in government did occur.

The year 2020 (i.e., at the time of this writing) marks the fifth year I have been publicly advocating for change in the role of environmental police officers in BC society. The portfolio work before you is anything but still. It is active, alive, and has directly contributed to a greater public dialog and legal understanding of what environmental police officers are, and more importantly what they could be. To that end, I feel it necessary to clarify my intent with this dissertation portfolio, which is not to *attack* but to *critically inform*.

### **Knowledge contribution and mobilization**

This project makes an original contribution to the body of BC wildlife knowledge by laying bare the organizational roots of the BCCOS and framing these roots within the broader responsibilities and duties of the constabulary. It then applies archival and historical knowledge by advancing various technical points before our courts for consideration.

Some may identify a central theme in my writing – a theme which focuses on the historical and modern development of environmental law enforcement in BC. However, I do not view my work in such a strict linear fashion. I see the central theme of this portfolio as knowledge mobilization, an exploration, search and eventual discovery of approaches that assist in achieving change in current environmental management principles, a process I have come to describe as *In search of a wild peace*. I envision a body of work that is alive and

communicating results in a practical and usable manner across broad public, political, academic, and legal disciplines. I'm seeking to breathe new life into an old archive, to resuscitate past thought in a new and innovative manner, to live and make practical use of history as it is in the archive in hopes that the future may be something different.

### **Concluding remarks**

My applied portfolio dissertation *In search of a wild peace* is comprised of three mutually supporting yet stand-alone pieces of work. These three pieces of work are *Removing constabulary confusion*, *Hunters and holsters*, and an *Appellant's factum* (i.e., court brief).

Broadly, my portfolio advances two main thematic arguments. First, I argue that police constables within commonwealth countries have experienced a shift in allegiances from community centric principles towards the service of state apparatuses. Second, I argue that, in the case of the BCCOS, the archive shows close ties to pro-hunting organizations. The archive supports a contention that these pro-hunting associations/organizations view wildlife as an economic asset to be exploited and killed. In turn, BCCOS pro-hunting ties uphold a modern cavalier approach to constable involved killings of non-humans (especially predators).

A re-tabulation of 8 years (2011-2019) of kill data supports my second argument (above), with 4,341 black bears, 162 grizzly bears, and 780 cougars killed by the BCCOS (Casavant, 2020). From these killing statistics, questions are raised about the appropriateness of individual officer's killing actions and the overall role of Conservation Officers in BC society.

In this dissertation by portfolio I advance a critical dialog about the role of environmental constables within modern society. My arguments are underpinned by the need to understand and critically examine the organizational development and history of the BCCOS

as an environmental policing agency. Ultimately, my work here maintains that constables are holders of an office and much more than mere employees of a government body. As holders of an office, constables have an obligation to protect those that are under their care – both human and non-human.

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